



138343

FILE FILE

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
6TH AND WALNUT STREETS,
PHILADELPHIA, PENNSYLVANIA 19106

ORIGINAL

JAN 10 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Bernard B. and Getrude V. Johnson
1119 Curtis Avenue
Morgantown, WV 26505

Dear Mr. and Mrs. Johnson:

On October 15, 1984, the United States Environmental Protection Agency (EPA) proposed that the Ordnance Works Disposal Areas, also known as the Morgantown Ordnance Works, located near Morgantown, West Virginia, be listed on the National Priorities List. Portions of the property have been contaminated with polychlorinated biphenyls (PCBs) and other pollutants.

Pursuant to Section 104(b) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9604, and Section 3007(a) of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6927(a), EPA is authorized to gather information to identify the sources and nature of the hazardous substances, pollutants, or contaminants involved in a release or threatened release. For the purpose of enforcing the provision of Title I of CERCLA and Subtitle C of RCRA, any person who stores, treats, disposes of, generates, transports, or otherwise handles, or has handled hazardous substances and/or hazardous waste is required pursuant to Section 104(e), of CERCLA, 42 U.S.C. § 9604, and Section 3007(a) of RCRA, 42 U.S.C. § 6927(a), to furnish information relating to these substances.

Based on EPA's investigation, you own or did own property in the Ordnance Works Disposal Areas. Consequently, pursuant to Section 104(e) of CERCLA, 42 U.S.C. § 9604(e), and Section 3007(a) of RCRA, 42 U.S.C. § 6927, EPA requests you to furnish within ten (10) calendar days from your receipt of this letter all documents or information in your possession, custody or control or in the possession, custody or control of any of your employees, agents, or officers which relate to hazardous substances, and/or hazardous wastes which were transported, sold, given or sent to, or disposed or otherwise handled at the Ordnance Work Disposal Areas site and the circumstances relating to their source, transportation, storage, handling, and disposal. In addition, this response should include, but not be limited to, documentation which concerns, refers or relates to:

AR200263

ORIGINAL
(Red)

1. The type and quantity of hazardous substances deposited at the Ordnance Works Site;
2. The dates you were involved with the Ordnance Works site;
3. The state of the substances deposited at the site, the method in which the substances were contained (i.e., liquid or solid in drums or uncontained); and where the substances were deposited or stored at the site (PCB drum area, landfill/dump or other areas at the site).
4. The names, addresses and telephone numbers of individuals who transported, sold, gave or sent to, or disposed or otherwise handled the hazardous substances at the Ordnance Works site;
5. How the hazardous substances came into your possession and why they were transported, sold, given or sent to, or disposed or otherwise handled;
6. The dates you sent hazardous substances to the Ordnance Works site;

Pursuant to Section 103 of CERCLA, 42 U.S.C. § 9603, it is unlawful for any person knowingly to destroy, mutilate, erase, dispose of, conceal, or otherwise render unavailable or unreadable or to falsify any documents. Failure to provide information requested pursuant to Section 3007 of the RCRA constitutes a violation of the Act. Section 3008 of the Act, 42 U.S.C. § 6928, provides EPA with the authority to apply administrative, civil, and criminal sanctions for violations of the Act, including failure to provide information requested pursuant to Section 3007, 42 U.S.C. § 6927.

As used herein, the term "documents" means writings (handwritten, typed, or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, correspondence, contracts, agreements, licenses, permits, policies of insurance, books of original entry, minutes of meetings, memoranda, notes, calendar or diary entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of analysis, analytical work sheets,

AR200264

chromatographs, studies, reports of scientific study or investigation, schedules, telegrams, teletypes, tapes, summaries, or other data compilation from which information can be obtained or translated.

In addition to the above information, if you or your company are privately insured against releases of hazardous wastes or substances as a result of the handling of such materials, please inform us of the existence of such insurance and provide us with copies of all insurance policies in effect during the period of activity in question.

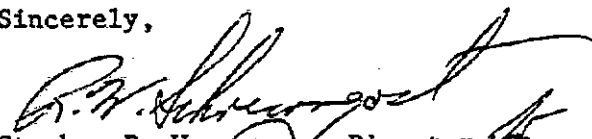
You are entitled to assert a claim of business confidentiality covering any part of the submitted information pursuant to regulations of 40 C.F.R. Part 2 Subpart B. Unless a business confidentiality claim is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to you.

Please send the requested information to:

Susan Insetta (3HW14)
US Environmental Protection Agency
Region III, Curtis Building
6th and Walnut Streets
Philadelphia, PA 19106

If you have any questions concerning this matter, please contact Susan Insetta at (215) 597-6678.

Sincerely,



Stephen R. Wassersug, Director
Hazardous Waste Management Division

AR200265